

Application Serial No. 09/664,969
Petition Filed October 31, 2007

under 37 CFR 1.17(m). Any additional required fees may be charged to deposit account number 19-2825, order number 865-002u.

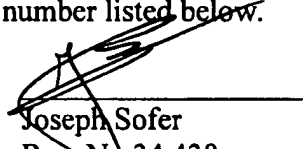
Pursuant to 37 CFR 1.137(b)(3), Applicants hereby assert that the entire delay in filing this Amendment was unintentional. At all times, the Applicants wished to continue prosecution on this application.

Applicants note that the Notice of Abandonment states in Box 7, a copy of which is attached, that the "attorney stated that inventor expressed that the case be abandoned, and that they wished no further fees to be incurred." *This is not accurate.* The Attorney at no time, either on their own, or on behalf of the Applicants, expressed a desire for abandonment. A paralegal working for the Attorney, in response to a telephonic request, noted that the records did not show a response in the file. However, they did not state any reason for this, nor would they have known such a reason. In fact, it was not until after the Notice of Abandonment was received that the reason for the abandonment, stated above, was known. Attorneys or Applicants at no time indicated a desire on the part of the Applicant to abandon the application.

In view of the foregoing, Applicants submit that this Petition is in grantable order and respectfully request that the enclosed application proceed to issue accordingly. If the Petitions officer reviewing this application requires any additional information they are invited to contact the undersigned at the telephone number listed below.

Date: 10/31/07

By:


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Adjustment date: 04/29/2008 CKHLOK
04/02/2007 WASFAW1 00000053 09664969
01456-2801 -405.00 OP

Repln. Ref: 04/29/2008 CKHLOK 0011321700
DAB:192825 Name/Number:09664969
FC: 9204 \$405.00 CR

UNITED STATES PATENT & TRADEMARK OFFICE
Washington, D.C. 20231

REQUEST FOR PATENT FEE REFUND					
1 Date of Request: _____		2 Serial/Patent # <u>091664969</u>			
3 Please refund the following fee(s):		4 PAPER NUMBER	5 DATE FILED	6 AMOUNT	
	Filing			\$	
	Amendment			\$	
	Extension of Time			\$	
	Notice of Appeal/Appeal			\$	
	Petition			\$	
	Issue			\$	
	Cert of Correction/Terminal Disc.			\$	
	Maintenance			\$	
	Assignment			\$	
X	Other		10/31/07	\$ 405.00	
			7 TOTAL AMOUNT OF REFUND		\$ 405.00
			8 TO BE REFUNDED BY:		
			Treasury Check		
			Credit Deposit A/C #:		
			9	1	9
				--	2
				8	2
				5	
10 REASON:					
	Overpayment				
	Duplicate Payment				
X	No Fee Due (Explanation):				
action is non-final					
11 REFUND REQUESTED BY: _____					
TYPED/PRINTED NAME: _____		Tredelle		TITLE: _____	
SIGNATURE: _____				PHONE: _____	
OFFICE: _____		Office of Petitions			
***** THIS SPACE RESERVED FOR FINANCE USE ONLY: *****					
APPROVED: _____		DATE: <u>4/29/08</u>			

Instructions for completion of this form appear on the back. After completion, attach white and yellow copies to the official file and mail or hand-carry to:

**Office of Finance
Refund Branch
Crystal Park One, Room 802B**